

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



R.M.S. TITANIC, INC.,
successor-in-interest to Titanic
Ventures, limited partnership,

Plaintiff,

CIVIL ACTION NO. 2:93cv902

v.

THE WRECKED AND ABANDONED VESSEL, ITS
ENGINES, TACKLE, APPAREL,
APPURTENANCES, CARGO, ETC., LOCATED
WITHIN ONE (1) NAUTICAL MILE OF A
POINT LOCATED AT 41 43' 32" NORTH
LATITUDE AND 49 56' 49" WEST
LONGITUDE, BELIEVED TO BE THE R.M.S.
TITANIC, IN REM,

Defendant.

ORDER

This matter comes before the court on the Notice of Appearance of Edward James Powers on behalf of the National Maritime Museum ("Museum"), filed on July 9, 2018, to which R.M.S. Titanic objects. Notice Appearance, ECF No. 450; Obj., ECF No. 453. To the extent the Museum seeks to intervene in this action and be represented by counsel, an appropriate motion to do so must be filed before the court. See Fed. R. Civ. P. 24. Accordingly, to the extent R.M.S. Titanic objects because a

Notice of Appearance is an improper procedural mechanism to intervene in these proceedings, the objection is **GRANTED**.¹

Additionally, by filing a Notice of Appearance, the Museum was electronically added as a Defendant on the face of the docket in the style of the case, with Mr. Powers as counsel. That addition to the docket is in error, because the court has not issued any ruling on the intervention of the Museum in this action, nor has a proper motion been filed. Accordingly, the Clerk is **DIRECTED** to remove this entry of party and counsel from the face of the docket sheet.


Further, John Michael Neary filed a Notice of Appearance as counsel for the Official Committee of Equity Security Holders, ECF No. 467, and they were likewise added as counsel and as an Interested Party, respectively, on the face of the docket in the style of the case. For the same reasons as set forth above, the Clerk is **DIRECTED** to remove this entry of party and counsel from the face of the docket sheet. Finally, if any further appearances are electronically filed in this case without a proper motion to intervene under Federal Rule of Civil Procedure

¹ R.M.S. Titanic also objects on the ground that the National Maritime Museum has no standing to participate in this case. Obj. at 1-2. The court is withholding ruling on the issue of standing, and this argument may be renewed as an objection, upon the filing of an appropriate motion to intervene by the National Maritime Museum.

24, the Clerk is **DIRECTED** to enter a Notice of Correction to remove the party and counsel from the face of the docket sheet.

The Clerk is **DIRECTED** to send a copy of this Order to counsel for all parties, together with Mr. Powers and Mr. Neary.

IT IS SO ORDERED.

/s/
Rebecca Beach Smith
 Chief Judge

Rebecca Beach Smith
Chief Judge

August 8, 2018